



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210  
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Salt Lake City, Utah 84114-5801  
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Michael O. Leavitt  
Governor  
Robert L. Morgan  
Executive Director  
Lowell P. Braxton  
Division Director

January 27, 2003

Tony Christofferson  
H.E. Davis Construction, Inc.  
525 West Arrowhead Trail  
Spanish Fork, Utah 84639

Re: Transfer of Notice of Intention from Geneva Rock Products, Inc. to H.E. Davis Construction, Inc., Levan Gypsum Mine, M/023/016, Juab County, Utah

Dear Mr. Christofferson:

On July 31, 2002, we received an application form to transfer the Large Mining Operations Notice of Intention for the Levan Gypsum Mine from Geneva Rock Products, Inc. to H.E. Davis Construction, Inc. We are unable to process this transfer request because there is no approved permit for the large mining operation. There is an approved Small Mine permit on file that can be transferred to H.E. Davis Construction, Inc. Accordingly, we are returning the original Large Mine Transfer form to you and have enclosed a Small Mine permit transfer form.

On October 15, 2002, we received a large mine permit application from H.E. Davis Construction that is to replace the large mine permit application previously received from Geneva Rock Products for the Levan Gypsum site. A small mine permit transfer form should have been filed at that time. We apologize for the oversight and misunderstanding. Please complete the Small Mine Transfer form and return it to us as soon as possible. Thank you for your prompt attention to this matter.

If you have any questions regarding this letter, please contact Tom Munson at (801) 538-5321.

Sincerely,

D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

jb

Enclosure: MR-TRS form, and Original MR-TRL  
O:\M023-Juab\m023016-LevanGypsum\final\transferLMO.doc



For Division Use:  
File No.: M/023/016  
Effective Date: \_\_\_\_\_  
DOGM Lead: \_\_\_\_\_

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5291  
Fax: (801) 359-3940

*Returned this  
original to operator  
1-27-2003. need  
SMO form to transfer  
rather than LMO.*

TRANSFER OF NOTICE OF INTENTION  
LARGE MINING OPERATIONS

--ooOoo--

1. (a) Notice of Intention to be transferred (file number): M/023/016  
(b) Name of mining operation: Levan - Steele  
(c) Location of mining operation (county): Juab  
(d) Name, telephone number and mailing address of the operator currently holding the notice of intention (transferor):  
Geneva Rock Products, Inc.  
PO Box 538  
Orem, UT 84059
2. (a) Name, telephone number and mailing address of the operator acquiring the notice of intention (transferee):  
H E Davis Construction, Inc.  
525 West Arrowhead Trail  
Spanish Fork, UT 84639  
(b) Name, telephone number and address of the authorized representatives of the Transferee to whom any notices under the provisions of the Utah Mined Land Reclamation Act may be sent:  
Kay Christofferson  
525 West Arrowhead Trail  
Spanish Fork, UT 84639  
801-798-7355
3. (a) The total number of disturbed acres permitted and bonded under the approved Large Mining Notice of Intention: 42.85 Acres

RECEIVED

JUL 31 2002

DIVISION OF  
OIL, GAS AND MINING

- (b) Complete Appendix "A"(attached), a legal description of the approved and bonded disturbed acreage (include: Township(s), Range(s), and section(s), *to the 1/4, 1/4, 1/4 section*, and the county).
  - (c) The actual number of acres disturbed by the mining operation through the date of this transfer: 18 Acres
  - (d) Attach a topographic map (labeled as Appendix "B") of suitable scale which clearly outlines the existing disturbed area boundaries through the date of this transfer (max. scale, 1 inch = 500 ft., 1 inch = 200 ft., or larger scale is preferred). Label disturbed areas as appropriate.
4. This application must be accompanied by a fully executed and signed Reclamation Contract (Form MR-RC) and an acceptable form of replacement reclamation surety.



STATE OF Utah )  
 ) ss.  
COUNTY OF Utah )

SWORN STATEMENT OF TRANSFEROR

I, Al Schellenberg being first duly sworn under oath, depose and say that I am President (officer or agent) of Geneva Rock (Corporation/Company Name); and that I am duly authorized to execute and deliver the foregoing obligations; that I have read the said application and fully understand the contents thereof; that all statements contained in the transfer application are true and correct to the best of my knowledge and belief. By execution of this statement I certify that the Transferor is in full compliance with the Utah Mined Land Reclamation Act, the Rules and Regulations promulgated thereunder, and the terms and conditions of Notice of Intention No. M/023/016.

Al Schellenberg  
Signature

Al Schellenberg  
Name (type or print)

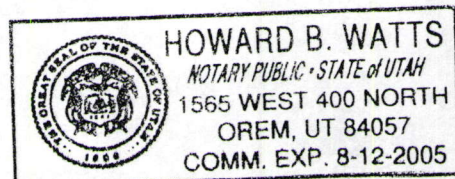
President  
Title

Subscribed and sworn before me this 17 day of July, 2002.

Howard B. Watts  
Notary Public  
Residing at: Orem, Utah

My commission Expires:

Aug. 12, 2005.





STATE OF Utah )  
 ) ss.  
COUNTY OF Utah )

FINAL SWORN STATEMENT OF TRANSFEREE

I, Kay J Christofferson being first duly sworn under oath, depose and say that I am President (officer or agent) of H E Davis Construction (Corporation/Company Name); and that I am duly authorized to execute and deliver the foregoing obligations; that I have read the application and fully understand the contents thereof; that all statements contained in the transfer application are true and correct to the best of my knowledge and belief. By execution of this statement, the Transferee agrees to be bound by the terms and conditions of Notice of Intention No. m/023/016, the Utah Mined Land Reclamation Act, and the Rules and Regulations promulgated thereunder.

Kay J Christofferson  
Signature

Kay J Christofferson  
Name (type or print)

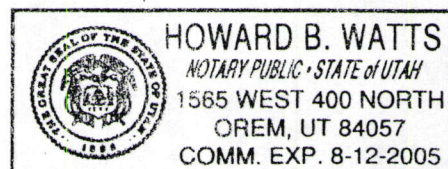
President  
Title

Subscribed and sworn before me this 17 day of July, 2002.

Howard B. Watts  
Notary Public  
Residing at: Orem Utah

My commission Expires:

August 12, 2005.



## CERTIFICATION OF APPROVAL

This is to certify that I have examined the foregoing application and do hereby grant approval of same, subject to the following limitations and conditions:

- (a) This large mining permit transfer grants only the right to affect the lands as described in Appendix "A" (attached).
- (b) The transferee has provided to the Division a fully executed and signed Reclamation Contract (Form MR-RC) and an acceptable form of replacement reclamation surety. The surety shall be effective on or before the date of transfer.
- (c) The transferee, or such other person as required by UCA 1953, Title 40-8, has acquired the legal right to mine said lands as described in Appendix "A".
- (d) A topographic map of suitable scale is attached (as Appendix "B") which clearly outlines and labels the existing disturbed area boundaries through the date of this transfer.

COMMENTS:

APPROVED: \_\_\_\_\_

Lowell P. Braxton, Director  
Division of Oil, Gas and Mining

Effective Date: \_\_\_\_\_

NOI No.: \_\_\_\_\_



APPENDIX "A"

HE Davis Construction  
New Operator

Levan - Steele  
Mine Name

M/023/016  
Permit Number

Tuab County, Utah

The legal description of the lands to be disturbed is (Township, Range and section(s) to the 1/4, 1/4, 1/4 section):

SE 1/4	Sec 33	T14S	R1E
SW 1/4	Sec 33	T14S	R1E

# RIDER

Travelers Casualty and Surety Company of America  
One Tower Square 3PB, Hartford, CT 06183

To be attached to and form a part of:

Bond No. 103404594

Type of Bond: Reclamation

Executed by Geneva Rock Products, Inc., as Principal, and by Travelers Casualty and Surety Company of America, as Surety, in favor of State of Utah Department of Natural Resources and dated December 21, 2000.

In consideration of the premium charged for the attached bond, it is hereby agreed to change:  
Principal

From:  
Geneva Rock Products, Inc.

To:  
H.E. Davis Construction, Inc., P.O. Box 488, Spanish Fork, Utah 84660

This rider is effective July 2, 2002.

This rider is executed upon the express condition that the surety's liability under said bond shall not be cumulative and shall in no event exceed the amount specifically set forth in said bond or any existing certificate changing the amount of said bond. The referenced bond shall be subject to all its agreements, limitations and conditions except as herein expressly modified.

SIGNED, SEALED AND DATED this 2nd day of July, 2002.

H.E. Davis Construction, Inc.

By: Kay J. Christofferson  
Kay J. Christofferson, ~~President~~ President, Principal

Travelers Casualty and Surety Company of America

By: W. Douglas Snow  
W. Douglas Snow Attorney-in-Fact

\*RIDER ACCEPTED BY:

\_\_\_\_\_  
(Obligee)

\_\_\_\_\_  
Date

\*If Obligee signature required, please sign duplicate and return to Surety.